

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -----x

4 UNITED STATES OF AMERICA,

5 v.

15 Cr. 588 (ER)

6 AHMED MOHAMMED EL GAMMAL,

7 Defendant.
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8 New York, N.Y.
9 November 10, 2016
10 4:00 p.m.

11 Before:

12 HON. EDGARDO RAMOS,

13 District Judge

14 APPEARANCES

15 PREET BHARARA

16 United States Attorney for the
17 Southern District of New York

NEGAR TEKEEI

18 ANDREW J. DeFILIPPIS

Assistant United States Attorney

19 FEDERAL DEFENDERS OF NEW YORK INC.

20 Attorneys for Defendant

SABRINA P. SHROFF

21 ANNALISA MIRON

HANNAH SOTNICK, Paralegal

1 (Case called)

2 MS. TEKEEI: Good afternoon, your Honor. Negar Tekeei
3 and Andrew DeFilippis on behalf of the United States.

4 THE COURT: Good afternoon.

5 MS. SHROFF: Good afternoon, your Honor. Sabrina
6 Shroff and Annalisa Miron from the Federal Defender's Office on
7 behalf of Mr. Gammal. Also present is Ms. Hannah Sotnick, she
8 is the paralegal on the case.

9 Mr. Gammal is not here because of -- well, the
10 government offered to produce him. We indicated that they
11 should not produce him because it was the first time he was
12 getting to see his mom and his wife since his arrest.

13 THE COURT: Very well. This matter is on for status
14 conference because we received a communication from the
15 government indicating that there were some scheduling matters
16 that may have arisen. Mr. El Gammal's presence is excused
17 since I think we will only be talking about scheduling issues.

18 Have the parties spoken, and what, if anything, is
19 there to report or request?

20 MS. TEKEEI: Your Honor, by way of background, we
21 understood from earlier this week that defense counsel may be
22 asking for a short adjournment of the trial for various reasons
23 that we took no position on. From our perspective, we asked
24 for this conference so that we could have a final, firm trial
25 date for our scheduling purposes so that we can schedule

1 accordingly with our witnesses, for example, especially those
2 who are traveling, as well as the agents, and to be able to
3 handle logistical matters in the most efficient way. So we
4 asked for this conference so we could discuss whether defense
5 counsel was going to make that application and what dates would
6 be contemplated.

7 THE COURT: Ms. Shroff.

8 MS. SHROFF: Well, your Honor, I laid out in the
9 letter that I sent to the Court what prompted my reaching out
10 to the government, and I included for the Court some
11 information that I don't think should be shared with the
12 government. I think that's fair. Look, I'm not trying to mess
13 with anybody's trial date. It's really not. We just thought
14 we might run into a crunch, and it looks more likely we would
15 run into a crunch.

16 THE COURT: I did receive defense counsel's ex parte
17 letter, and I know from having presided over this case since
18 the beginning that there are a lot of issues yet to be dealt
19 with pretrial. I know that there is a great deal of voluminous
20 discovery, discovery that is subject to various protective
21 orders and various statutes concerning the treatment of
22 confidential information, and I know that counsel on both sides
23 have been working very diligently. I know this from the
24 submissions that have been made, and obviously, I want to make
25 sure that everyone is as ready as they can possibly be as this

1 matter is very important for both sides.

2 I have looked at my calendar and have determined that
3 I can accommodate the parties with a January trial, beginning
4 January 9, and I have three weeks blocked out for that purpose,
5 if that's what you want to do.

6 MS. SHROFF: Your Honor, Ms. Rivera was kind enough to
7 email that information and front it to us when we were here. I
8 think Ms. Tekeei would need a day or two to talk to her third
9 colleague, who is not here, our third colleague is out on at
10 least two weeks of paternity leave, coming back, and then going
11 back out on paternity leave. So if we could just let the Court
12 know by tomorrow or Monday, if that's possible?

13 THE COURT: Absolutely. Right now we're keeping the
14 December date?

15 MS. SHROFF: I just don't have an answer because I
16 don't have -- I haven't consulted with the third, and I think
17 Ms. Tekeei also needs to consult with her third. But honestly,
18 there's no working day between today and Monday, or late
19 Sunday. I know the government works around the clock, but --

20 MS. TEKEEI: Your Honor, our understanding is that the
21 trial date is currently, as of today, still December 5th. What
22 I think Ms. Shroff is indicating is that we will go back to our
23 respective trial members, trial team members, confirm that that
24 week in January does work for everyone, and then perhaps
25 Ms. Shroff will make an application, or defense counsel will

1 make an application for an adjournment to the date that the
2 Court has suggested.

3 THE COURT: Okay.

4 MS. SHROFF: Okay.

5 THE COURT: Anything more?

6 MS. TEKEEI: That's all for us, your Honor.

7 MS. SHROFF: No. Thank you very much.

8 THE COURT: We're adjourned.

9 (Adjourned)

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